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## Review of “The Case of Thomas J. Mooney and Warren K. Billings,” By Henry Hunt

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in judicial decision, nor that the general validity of a particular principle may be destroyed by showing it, in a given case, to conflict with another principle of general validity. Again, he would not admit that common sense is to be discredited as a criterion simply by showing that it often is not used "methodically." This is to criticize not common sense but human fallibility. Most of all he regrets the lack of any specific setting forth of a new and better approach. Considering the purpose of the introduction, the lack seems more glaring here than in the text proper. Messrs. Oliphant and Hewitt pose a hypothetical case, state and repudiate accepted methods of solving it—and practically leave the matter there. Destructively, they are specific; constructively, they deal in generalizations. Certainly, to this extent, their work is disappointing.

Granting that there is fundamentally only one process of handling a scientific problem, be it mechanical, psychological or social, can the materials of the so-called social sciences ever be as "exact" or as "objective" as those of the physical sciences? (Surely no technique can be more exact or objective than the materials with which it must deal.) This seems to the reviewer the ultimate question. It has been well, even brilliantly, raised in this volume; and a question once raised is at least half answered.

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THE CASE OF THOMAS J. MOONEY AND WARREN K. BILLINGS, (Abstract and Analysis of Record before Governor Young, of California), by *Henry T. Hunt*. New York: National Mooney-Billings Committee, 1929. Pp. 445.

Another Christmas has come and gone, and still Mooney and Billings rot in California penitentiaries. Of their innocence of the crime for which they were convicted and sentenced there is not the slightest doubt. That they were railroaded into prison by means of perjured testimony has been conclusively demonstrated. Every important official connected with the trial of Mooney, except the prosecuting attorney and one of the ten living jurors has urged that the injustice which was done to the defendant be remedied so far as that is possible. The trial judge in particular has been unceasing in his efforts to undo the wrong in which he was an unwitting participant. Several sets of impartial investigators, including one especially appointed for that purpose by President Wilson, have concluded that the verdicts against the two men should not stand. Yet three successive governors of California, in the face of the evidence and these opinions, have refused to act in order to vindicate the fairness of the government of California. Governor Stephens, who was in office at the time the men were sentenced, commuted Mooney's original death sentence to life imprisonment upon the urging of President Wilson, but there the matter has rested ever since. Governor Young, the present incumbent, after himself examining a large part of the record in the Mooney case, has referred the matter to a special advisory commission which, no doubt, will sooner or later render its report.

The forces which have operated to keep these men in the penitentiary are a sinister evidence of the power of selfish interests in American life. No higher duty can rest upon the American Bar than to exert pressure to secure a minimizing of the injustice which has resulted from this misuse of legal processes. In publishing the volume under review the National Mooney-Billings Committee has made available the information which enables members of the Bar to learn the truth about the case. Mr. Henry T. Hunt, a member of the New York Bar, at the request of the Committee, has made a careful study of the records of both the Mooney and the Billings trials, together with related documents which deal with prior and subsequent events—the same materials which have been before the Governors of California. The essentials of these materials, including a transcript of much of the testimony, are presented in the 445 pages of this volume. The details it would be useless to set forth here. Every newspaper reader knows that Mooney and Billings, who previously had engaged in strike activities, possibly criminal in character, were convicted of murder on account of the deaths which occurred in the bombing of the San Francisco Preparedness Day Parade on July 22, 1916. The case has been the center of world-wide attention ever since. The story as revealed by Mr. Hunt, though depressing, is fascinating. It is difficult to believe that if all members of the Bar were to read it most of them would not rise up in protest, with sufficient force to bring about the release of these men, who never had the benefit of a fair trial. Copies of the Abstract and Analysis can be obtained for \$2.00 from the National Mooney-Billings Committee, 100 Fifth Avenue, New York City.

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HANDBOOK OF THE LAW AND PRACTICE IN BANKRUPTCY, by *Henry Campbell Black*. Second Edition. St. Paul: West Publishing Co., 1930. Pp. xvi, 905.

Mr. Black, one of our foremost legal writers, died in 1927. This is a revision by the editorial staff of the West Publishing Company of his first edition to include the 1926 amendments to the Bankruptcy Act of 1898 and the various statutes passed by Congress in 1925 and 1928 affecting appellate procedure and abolishing writs of error. The book is brought down to January, 1930. It follows generally the same author's larger work on bankruptcy published by the Vernon Law Book Company of Kansas City and now in its fourth edition.

Like most of the Hornbook Series, it is written in a style which appeals to the law school instructor and student. It is also recommended to the general practitioner who is discovering to his sorrow in these days of business depression that a general knowledge of the principles of bankruptcy law is indispensable to his practice.

However, it cannot and is not intended to serve for the lawyer specializing in bankruptcy work nor to compete with such standard works on the